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DEPARTMENT OF COMMERCE
International Trade Administration
[C-533-825]

Polyethylene Terephthalate Film, Sheet and Strip from India: Rescission, in Part, of
Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of
Commerce

EFFECTIVE DATE: [Insert date of publication in the Federal Register.]

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Background

On July 1, 2011, the Department of Commerce (Department) published a notice of opportunity to request an administrative review of the countervailing duty (CVD) order on polyethylene terephthalate film, sheet and strip from India covering the period January 1, 2010, through December 31, 2010. See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 76 FR 38609, 38610 (July 1, 2011). The Department received a timely request from Petitioners¹ for a CVD administrative review of five companies: Ester Industries Limited (Ester), Garware Polyester Ltd. (Garware), Jindal Poly Films Limited of India (Jindal), Polyplex Corporation Ltd. (Polyplex), and SRF Limited (SRF). The Department also received timely requests for a CVD review from Vacmet India Ltd. (Vacmet) and Polypacks Industries of India (Polypacks). On August 26, 2011, the Department published a notice of initiation of administrative review with

¹ Petitioners are DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc. and Toray Plastics (America), Inc.

respect to Ester, Garware, Jindal, Polyplex, SRF, Vacmet, and Polypacks. See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part, 76 FR 53404 (August 26, 2011). On August 23, 2011, Vacmet and Polypacks withdrew their requests for a review. The Department published a rescission, in part, of the CVD administrative review with respect to Vacmet and Polypacks on September 20, 2011. See Polyethylene Terephthalate Film, Sheet and Strip From India: Rescission, In Part, of Countervailing Duty Administrative Review, 76 FR 58248 (September 20, 2011). On November 25, 2011, Petitioners withdrew their request for CVD administrative reviews of Ester, Garware, Polyplex, and Jindal.

Rescission, in Part

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Petitioners' withdrawal was submitted within the 90-day period and, thus, is timely.² Because Petitioners' withdrawal of their requests for review is timely and because no other party requested a review of Ester, Garware, Polyplex, or Jindal, we are rescinding this review with respect to these companies in accordance with 19 CFR 351.213(d)(1). The administrative review of SRF continues.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess countervailing duties on all appropriate entries. Subject merchandise exported by Ester, Garware, Polyplex, and Jindal will be assessed countervailing duties at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from

² The 90th day fell on November 24, 2011, a non-business day. Pursuant to 19 CFR 351.303(b), if an applicable due date falls on a non-business day, the Department will accept as timely a document that is filed on the next business day.

warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP within 15 days of publication of this notice.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

January 5, 2012
Date

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